

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

15-CR-143

TRENT ADAIR HAMILTON,

DECISION AND ORDER

Defendant.

1. On September 14, 2018, the defendant, Trent Adair Hamilton, pleaded guilty to Count 3 of the second superseding indictment charging a violation of Title 21, United States Code, Section 846 (conspiracy to possess with intent to distribute heroin, fentanyl, and cocaine). Docket Item 217.

2. On September 14, 2018, the Honorable H. Kenneth Schroeder, Jr., United States Magistrate Judge, filed a Report & Recommendation recommending that the defendant's plea of guilty be accepted and that the defendant be adjudged guilty. Docket Item 642.

3. This Court has not received objections to the Report & Recommendation in accordance with Title 28, United States Code, Section 636(b)(1), and Rule 59(b) of the Federal Rules of Criminal Procedure, and the time to object now has expired.

4. This Court has carefully reviewed *de novo* Judge Schroeder's Report & Recommendation (docket item 642), the plea agreement (docket item 641), the second superseding indictment (docket item 217), a transcript of the digital FTR recording of the plea proceeding (docket item 660), and the applicable law. This Court finds no legal or factual error in Judge Schroeder's Report & Recommendation and

therefore adopts Judge Schroeder's recommendation that the defendant's plea of guilty be accepted and that the defendant be adjudged guilty of Count 3 of the second superseding indictment.

IT IS HEREBY ORDERED that this Court adopts Judge Schroeder's September 14, 2018 Report & Recommendation, Docket Item 642, in its entirety, including the authorities cited and the reasons given therein, and it is further

ORDERED that the Court accepts the defendant's plea of guilty and defers acceptance of the plea agreement pursuant to Sentencing Guidelines Section 6B1.1(c), and the defendant, Trent Adair Hamilton, is now adjudged guilty under Title 21, United States Code, Section 846.

SO ORDERED.

Dated: November 16, 2018
Buffalo, New York

s/ Lawrence J. Vilardo
LAWRENCE J. VILARDO
UNITED STATES DISTRICT JUDGE